

Form 149

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Joseph A Zitelli
Donna M Zitelli
Debtor(s)

Bankruptcy Case No.: 20-21499-JAD
Issued per 11/19/2020 Proceeding
Chapter: 13
Docket No.: 32 - 5, 21
Concil. Conf.: at

ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 4/28/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,520 as of December 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at , in .* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Quicken Loans [Claim #6] following notices of payment change of record .
- H. Additional Terms: IRS to be paid per Amended Schedule E.

The secured claim of the following creditor shall govern as to claim amount, to be paid at the modified plan terms: Ally Bank [Claim #7].

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) *IT IS FURTHER ORDERED THAT:*

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 23, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Joseph A Zitelli
Donna M Zitelli
Debtor(s)

Case No. 20-21499-JAD
Chapter 13

District/off: 0315-2
Date Rcvd: Nov 23, 2020

User: skoz
Form ID: 149

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Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 25, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Joseph A Zitelli, Donna M Zitelli, 2916 Leechburg Rd, Lower Burrell, PA 15068-3238
15240755	+ Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
15240759	+ Barclays Bank Delaware, P.o. Box 8803, Wilmington, DE 19899-8803
15240760	+ Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
15254634	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15240765	+ Citibank, Po Box 6217, Sioux Falls, SD 57117-6217
15240766	+ Citibank, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15240768	+ Collection Service Center, Inc., Pob 560, New Kensington, PA 15068-0560
15240781	Quicken Loans, Inc., PO Box 6577, Carol Stream, IL 60197-6577
15246547	+ Quicken Loans, LLC fka Quicken Loans Inc., 635 Woodward Avenue, Detroit, MI 48226-3408
15240782	Syncb/walmart, PO Box 71087, Charlotte, NC 28272-1087
15240791	+ Target, Po Box 673, Minneapolis, MN 55440-0673
15240792	+ Target, c/o Financial & Retail Svcs, Mailstop BT POB 9475, Minneapolis, MN 55440-9475

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 24 2020 01:35:09	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15240756	Email/Text: bdsupport@creditmanagementcompany.com	Nov 24 2020 01:57:00	Allegheny Valley Hospital, c/o Credit Management Company, PO Box 16346, Pittsburgh, PA 15242-0346
15252073	Email/Text: ally@ebn.phinsolutions.com	Nov 24 2020 01:56:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
15240758	+ Email/Text: ally@ebn.phinsolutions.com	Nov 24 2020 01:56:00	Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901
15240757	+ Email/Text: ally@ebn.phinsolutions.com	Nov 24 2020 01:56:00	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
15240763	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:35:08	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15240761	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:33:02	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15245527	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:33:02	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15240767	+ Email/Text: mediamanagers@clientservices.com	Nov 24 2020 01:56:00	Client Services, 3451 Harry S. Truman Blvd, Saint Charles, MO 63301-9816
15240769	+ Email/Text: bankruptcy@firstenergycorp.com	Nov 24 2020 01:57:00	Collection Service Center, Inc., Attn: Bankruptcy,

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15240771	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	839 5th Ave., New Kensington, PA 15068-6303
15240770	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	Comenity Bank/Abarcormbie, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15240772	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	Comenity Bank/Abarcormbie, Po Box 182789, Columbus, OH 43218-2789
15240773	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	Comenitycapital/Big Lot, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15240774	Email/Text: bk@freedomfinancialnetwork.com	Nov 24 2020 01:55:00	Comenitycapital/Big Lots, Po Box 182120, Columbus, OH 43218-2120
15240775	Email/Text: bk@freedomfinancialnetwork.com	Nov 24 2020 01:55:00	Freedom Plus, 1875 South Grant Street, San Mateo, CA 94402
15264009	Email/Text: sbse.cio.bnc.mail@irs.gov	Nov 24 2020 01:56:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15240776	Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	JCPenney, PO Box 960090, Orlando, FL 32896-0090
15240778	+ Email/Text: PBNCNotifications@perituservices.com	Nov 24 2020 01:56:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15240777	+ Email/Text: PBNCNotifications@perituservices.com	Nov 24 2020 01:56:00	Kohls/Capital One, Po Box 3115, Milwaukee, WI 53201-3115
15243880	Email/PDF: resurgentbknotifications@resurgent.com	Nov 24 2020 01:34:07	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15240779	Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Lowe's, PO Box 530914, Atlanta, GA 30353-0914
15240780	+ Email/Text: bankruptcyteam@quickenloans.com	Nov 24 2020 01:57:00	Quicken Loans, 1050 Woodward Avenue, Detroit, MI 48226-1906
15264913	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15241322	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:34:02	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15240784	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank/ JC Penneys, Attn: Bankruptcy, Po B 965064, Orlando, FL 32896-5064
15240783	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank/ JC Penneys, Po Box 965007, Orlando, FL 32896-5007
15240787	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15240785	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:34:02	Synchrony Bank/Care Credit, C/o Po Box 965036, Orlando, FL 32896-0001
15240790	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:34:02	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15240789	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank/Lowes, Po Box 956005, Orlando, FL 32896-0001
15254070	+ Email/Text: bncmail@w-legal.com	Nov 24 2020 01:57:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 32

BYPASSED RECIPIENTS

District/off: 0315-2

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The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans, LLC
15263988	*+	Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
15263989	*	Allegheny Valley Hospital, c/o Credit Management Company, PO Box 16346, Pittsburgh, PA 15242-0346
15263991	*+	Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901
15263990	*+	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
15263993	*+	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
15263992	*+	Barclays Bank Delaware, P.o. Box 8803, Wilmington, DE 19899-8803
15240764	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15263996	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15263997	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15240762	*+	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15263994	*+	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15263995	*+	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15263998	*+	Citibank, Po Box 6217, Sioux Falls, SD 57117-6217
15263999	*+	Citibank, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15264000	*+	Client Services, 3451 Harry S. Truman Blvd, Saint Charles, MO 63301-9816
15264002	*+	Collection Service Center, Inc., Attn: Bankruptcy, 839 5th Ave., New Kensington, PA 15068-6303
15264001	*+	Collection Service Center, Inc., Pob 560, New Kensington, PA 15068-0560
15264004	*+	Comenity Bank/Abarcrormbie, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15264003	*+	Comenity Bank/Abarcrormbie, Po Box 182789, Columbus, OH 43218-2789
15264005	*+	Comenitycapital/Big Lot, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15264006	*+	Comenitycapital/Big Lots, Po Box 182120, Columbus, OH 43218-2120
15264007	*P++	FREEDOM FINANCIAL ASSET MANAGEMENT LLC, ATTN BANKRUPTCY DEPARTMENT, PO BOX 2340, PHOENIX AZ 85002-2340, address filed with court:, Freedom Plus, 1875 South Grant Street, San Mateo, CA 94402
15264008	*P++	FREEDOM FINANCIAL ASSET MANAGEMENT LLC, ATTN BANKRUPTCY DEPARTMENT, PO BOX 2340, PHOENIX AZ 85002-2340, address filed with court:, Freedom Plus, Attn: Bankruptcy, Po Box 2340, Phoenix, AZ 85002
15264010	*	JCPenney, PO Box 960090, Orlando, FL 32896-0090
15264012	*+	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15264011	*+	Kohls/Capital One, Po Box 3115, Milwaukee, WI 53201-3115
15264013	*	Lowe's, PO Box 530914, Atlanta, GA 30353-0914
15264014	*+	Quicken Loans, 1050 Woodward Avenue, Detroit, MI 48226-1906
15264015	*	Quicken Loans, Inc., PO Box 6577, Carol Stream, IL 60197-6577
15264016	*	Syncb/walmart, PO Box 71087, Charlotte, NC 28272-1087
15264018	*+	Synchrony Bank/ JC Penneys, Attn: Bankruptcy, Po B 965064, Orlando, FL 32896-5064
15264017	*+	Synchrony Bank/ JC Penneys, Po Box 965007, Orlando, FL 32896-5007
15240788	*+	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15264021	*+	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15264022	*+	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15240786	*+	Synchrony Bank/Care Credit, C/o Po Box 965036, Orlando, FL 32896-0001
15264019	*+	Synchrony Bank/Care Credit, C/o Po Box 965036, Orlando, FL 32896-0001
15264020	*+	Synchrony Bank/Care Credit, C/o Po Box 965036, Orlando, FL 32896-0001
15264024	*+	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15264023	*+	Synchrony Bank/Lowes, Po Box 956005, Orlando, FL 32896-0001
15264025	*+	Target, Po Box 673, Minneapolis, MN 55440-0673
15264026	*+	Target, c/o Financial & Retail Svcs, Mailstop BT POB 9475, Minneapolis, MN 55440-9475

TOTAL: 1 Undeliverable, 42 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-2

User: skoz

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Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 23, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Quicken Loans LLC bnicholas@kmllawgroup.com
Kenneth Steidl	on behalf of Debtor Joseph A Zitelli julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Kenneth Steidl	on behalf of Joint Debtor Donna M Zitelli julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnenour	cmecl@chapter13trusteewdpa.com

TOTAL: 5